

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEPHEN PAUL,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 13-cv-05202 RBL

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration pursuant to sentence four of 42 U.S.C. § 405(g) (ECF No. 16).

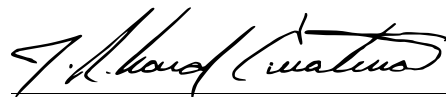
After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Acting Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

1 On remand, based on the parties' stipulation, this Court recommends that the
2 Administrative Law Judge be instructed to: (1) further evaluate the opinion evidence, in
3 particular the opinion of Dr. Cook, and provide the rationale for the weight given to such opinion
4 evidence; (2) further evaluate the residual functional capacity, and specify the evidence which
5 supports the assessed limitations; (3) further evaluate plaintiff's credibility and subjective
6 complaints in accordance with SSR 96-7p; and (4) obtain evidence from a vocational expert to
7 clarify the effect of the assessed limitations on plaintiff's ability to perform work-related
8 activities at steps four and five of the sequential evaluation process.

9 Following proper presentation, the Court should consider plaintiff's application for
10 attorney's fees pursuant to the Equal Access to Justice Act, and 406(b), if appropriate.

11 Given the facts and the parties' stipulation, the Court recommends that the District Judge
12 immediately approve this Report and Recommendation and order that the case be **REVERSED**
13 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

14 Dated this 21st day of August, 2013.

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16 J. Richard Creatura
17 United States Magistrate Judge
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